

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/11/2019
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ALAN SCHWARTZ, et al.,

: Plaintiffs, :

-against- :

GETTY IMAGES (US), INC.,

: Defendant. :

: 19 Civ. 2861 (LGS)

: ORDER

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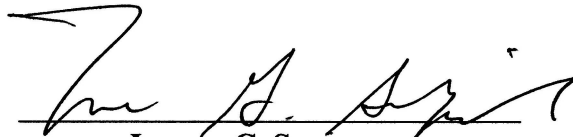
LORNA G. SCHOFIELD, District Judge:

WHEREAS, by letter dated September 9, 2019 (Dkt. No. 24), Plaintiffs advise that they agree with Defendant that Judge Hellerstein's decisions in *Zuma v. Getty Images (US), Inc.*, No. 16 Civ. 6110 ("*Zuma*") collaterally estopped all claims in this action. They request, however, to apply to reopen this action if the Second Circuit alters Judge Hellerstein's decisions, for statute of limitations reasons. It is hereby

**ORDERED** that this action is DISMISSED, with the understanding that, should Plaintiffs apply to reopen the case, Defendant waives any statute of limitations defense with respect to the reopened case. If Defendant opposes waiver, it may apply to restore this action within two weeks and this case will be stayed pending the *Zuma* appeal. This dismissal is without prejudice to Plaintiffs' application to reopen the case after the Second Circuit appeal.

The Clerk of Court is respectfully directed to close this action.

Dated: September 11, 2019  
New York, New York



**LORNA G. SCHOFIELD**  
UNITED STATES DISTRICT JUDGE